

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                          |   |                                       |
|--------------------------|---|---------------------------------------|
| -----                    | : |                                       |
| UNITED STATES OF AMERICA | : |                                       |
|                          | : | CASE NO. 5:05 CR 131                  |
| Plaintiff                | : |                                       |
|                          | : |                                       |
| -VS-                     | : |                                       |
|                          | : |                                       |
| JACOB HOUGH, III         | : | <u>ORDER ACCEPTING PLEA AGREEMENT</u> |
|                          | : | <u>AND JUDGMENT AND NOTICE OF</u>     |
| Defendant                | : | <u>HEARING</u>                        |
| -----                    | : |                                       |

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge William H. Baughman, Jr. regarding the change of plea hearing and plea agreement of Jacob Hough, III which was referred to the Magistrate Judge with the consent of the parties.

On 16 March 2005, the government filed a five-count indictment against Jacob Hough, III for conspiracy to possess with the intent to distribute and distribution of a controlled substance in violation of 21 U.S.C. § 846, 21 U.S.C. § 841(a)(1), 21 U.S.C. § 841(b)(1)(C) and 18 U.S.C. § 2. On 14 April 2005, a hearing was held in which Jacob Hough, III entered a plea of not guilty before Magistrate Judge James S. Gallas. On 24 January 2006, Magistrate Judge Baughman received Jacob Hough, III's plea of guilty

and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Jacob Hough, III is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Jacob Hough, III is adjudged guilty of Counts One, Eleven and Twenty-Seven in violation of 21 U.S.C. § 846, 21 U.S.C. § 841(a)(1), 21 U.S.C. § 841(b)(1)(C) and 18 U.S.C. § 2.

Sentencing will be:

**24 April 2006 at 2:30 p.m.**

**Courtroom 18-A  
18th Floor the United States District Court  
801 West Superior Avenue  
Cleveland, Ohio 44113**

IT IS SO ORDERED.

/s/Lesley Wells  
UNITED STATES DISTRICT JUDGE

Dated: 17 February 2006